

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 05-10995-RCL

ALTAGRACIA J. PEGUERO,)
Plaintiff,)
)
v.)
)
AMERICAN EXPRESS COMPANY and)
HEALTHEXTRAS, INC.,)
Defendants.)

**PLAINTIFF'S ASSENTED TO MOTION TO EXTEND TIME FOR FILING
HER OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The Plaintiff, Altagracia J. Peguero, with the assent of the Defendants, American Express Company and HealthExtras, Inc., hereby respectfully requests a one-week extension to file her Opposition to Defendants' Motion for Summary Judgment.

AS GROUNDS IN SUPPORT OF THIS MOTION, the Plaintiff states as follows:

1. HealthExtras filed its Motion for Summary Judgment seeking to dismiss all of Plaintiff's claims on April 14, 2007. This Motion was subsequently joined by American Express.

2. The Plaintiff's Opposition is due April 30, 2007 and the Court has scheduled a Scheduling Conference for May 1, 2007 and oral argument on the Motion for Summary

Judgment for May 3, 2007. Despite counsel's best efforts to meet the April 30, 2007 filing deadline, it now appears that additional time is required to fully respond to the Motion for Summary Judgment. Accordingly, the Plaintiff is requesting to extend the time for filing her response to May 6, 2007.

3. The parties additionally request that the Scheduling Conference go forward as scheduled and that oral argument on the Summary Judgment be re-scheduled for May 17, 2007 or such date as convenient to the Court thereafter (counsel have numerous scheduling problems between May 6, 2007 and May 17, 2007).

WHEREFORE, the Plaintiff, Altagracia J. Peguero, respectfully requests an extension up to and including May 6, 2007 to file her response to the Defendants' Motion for Summary Judgment.

THE PLAINTIFF,
Altagracia J. Peguero,
By her Attorney,

/s/ Kevin Donius

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THE DEFENDANT,
AMERICAN EXPRESS COMPANY,
By their attorney,

/s/ John F. Farraher, Jr.

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THE DEFENDANT,
HEALTH EXTRAS, INC.,
By their attorney,

/s/ Donald R. Pinto, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Kevin Donius

Kevin Donius, Esquire

Dated: April 26, 2007